



Paper No. 5

Warner-Lambert Company
2800 Plymouth Road
Ann Arbor, MI 48105

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In re Application of
Leslie Magnus-Miller et al.
Application No. 10/075,929
Filed: February 13, 2002
Attorney Docket No. 5670-D1-01-DRK

: OFFICE OF PETITIONS
:
: DECISION GRANTING
: PETITION
:
:

This is a decision on the petition, filed on April 22, 2002, requesting that the above-identified application, without drawings, be accorded a filing date of February 13, 2002.

The application was filed on February 13, 2002, without drawings.¹ Accordingly, on March 22, 2002, Initial Patent Examination Division mailed a "Notice of Incomplete Nonprovisional Application" stating that no filing date had been assigned because the application was deposited without drawings, and requiring drawings be filed if necessary.

In response, on April 22, 2002, the present petition was filed. The petition states that the drawings are not necessary for an understanding of the subject matter sought to be patented. Petitioners request that the application, without drawings, **be accorded a filing date of February 13, 2002.**

In view of the claims being drawn to a chemical composition, the petition is granted.² The "Notice of Incomplete Nonprovisional Application" mailed on March 22, 2002 is hereby vacated.

The two (2) sheets of drawings (Figures 1 and 2) filed with the present application will not be processed or used for examination purposes, but will be retained in the application file with the present petition.

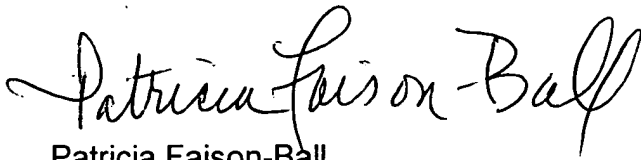
¹35 U.S.C. § 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented."

²MPEP 601.01 (c)

The \$130.00 petition fee is unnecessary and will be credited to counsel's deposit account, No. 23-0455.

The application is being forwarded to the Office of Initial Patent Examination for further processing with a **filing date of February 13, 2002**, and for an indication on the bib-data sheet that no sheets of drawings were present on filing.

Telephone inquiries specific to this matter should be directed to the undersigned Petitions Attorney at (703) 305-4497.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style with a large initial "P".

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy